



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/783,257

02/19/2004

Chang Sup Lee

2080-3232

7309

35884

7590

12/12/2007

LEE, HONG, DEGERMAN, KANG & SCHMADEKA

660 S. FIGUEROA STREET

Suite 2300

LOS ANGELES, CA 90017

EXAMINER

JEFFERSON, DEAUNDRE L

ART UNIT

PAPER NUMBER

4157

MAIL DATE

DELIVERY MODE

12/12/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/783,257	<b>Applicant(s)</b> LEE, CHANG SUP	
	<b>Examiner</b> Deaundre Jefferson	<b>Art Unit</b> 4157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☐ Claim(s) 1-20 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## **Detailed Office Action**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1-20 rejected under 35 U.S.C. 102(e) as being anticipated by Lim et al. (US 2004/0039788).

Regarding claim 1, Lim teaches:

A digital broadcasting system (see fig. 3) comprising: a transmitting means having a unit for generating digital broadcast (live server-200, see fig 2., acts as unit for generating digital broadcast, e.g. [0037]) including audio/video broadcast and data broadcast (multimedia, see [0037], multimedia includes data, audio and video) and a unit for registering the digital broadcast or the data broadcast on a certain internet site (Web server-220, see fig 3); and an internet terminal (client device-90, see fig. 3, acts as internet terminal) connecting to the internet site (Web page-see fig. 5) to receive the digital broadcast or the data broadcast.

Re claim 2, the digital broadcasting system according to claim 1, wherein the data broadcast is produced based on Markup or Java ( Active X-S420, see fig. 4).

Re claim 3, “wherein the internet terminal has a browser embedded therein for allowing connection to the internet site” (note: since the client device has to access a web page it is inherent that the client device would have means of viewing the web page, e.g. web browser ).

Re claim 4, “wherein the browser is any one of a widely used browser embedded in the internet terminal or a widely used browser provided from the internet site” (web server provides an interface for watching internet broadcast content- see [0048]).

Re claim 5, the digital broadcasting system according to claim 1, wherein the internet site stores the digital broadcast or the data broadcast continuously produced (e.g., see [0005]).

Re claim 6, the digital broadcasting system according to claim 1, further comprising means for converting the digital broadcast and the data broadcast into an internet-supporting format in case that the digital broadcast or the data broadcast is not in the internet-supporting format (since the live server transmits the data stream over the internet, it is inherent that the live server would have means to convert the data into an internet supporting format - e.g., [0035]).

Re claim 7, “wherein the internet terminal is one of a PDA, a mobile terminal, a widely used computer, a portable computer, home electric appliances with an internet function”(client-90 see fig 3).

Claims 8-11 are the method claims corresponding to apparatus claims 1-7. Thus, they have been analyzed and rejected w/r to claims 1-7 since Lim teaches both system and method.

Re Claim 12, a method for operating digital broadcast at an internet terminal of a digital broadcasting system, the method comprising the steps of: connecting to an internet site providing digital broadcast or data broadcast (see [0063]); selecting broadcast that is intended to be viewed (e.g. requesting internet page- see fig. 5); and downloading and displaying the selected broadcast (receiving broadcast data from live server, see fig. 4 –S496).

Re claim 13, the method according to claim 12, further comprising the step of downloading and installing a dedicated browser in case that the dedicated browser exists in the internet site (web server provides interface for watching internet broadcast content which implies that the interface , i.e. browser is downloaded by the client device- see [0048]).

Re claim 14, is rejected on the same basis as claim 4.

Re claim 15, the method according to claim 12, wherein in case that a linked internet site exists among the displayed broadcasts, a viewer moves to the linked internet site depending on his/her request (e.g. requesting internet page- see fig. 5).

Re claim 16, the method according to claim 12, wherein various data broadcasts provided from the internet site are concurrently displayed in addition to the displayed broadcast (since the broadcast is being view over the internet

Art Unit: 4157

the via a web browser inherently has the ability to display multiple data broadcast, i.e. web links, concurrently).

Regarding claims 17-20 are also method claims corresponding to apparatus claims 1-7. Thus, they have been analyzed and rejected w/r to claims 1-7 since Lim teaches both system and method.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Burns et al. (U.S. Patent 5,991,306), Mao et al. (U.S. Patent 6,459,427), McCanne (U.S. Patent 6,785,704), Fries et al. ( US-2003/0221197), Chiu et al. ( US-2003/0196205).

### ***Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Deaundre Jefferson whose telephone number is (571)-270-3754 examiner can normally be reached on Mon-Thurs from 7:30-5:00 and Fri from 6:00-10:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, Vu Le can be reached on (571) 272-7332. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Art Unit: 4157

Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Deaundre Jefferson/  
Patent Examiner

/Vu Le/  
Supervisory Patent Examiner, Art Unit 4157  
Patent Training Academy